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10 Attorneys for Plaintiff  
11 DIAMOND STATE INSURANCE COMPANY

12  
13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO/OAKLAND DIVISION

16 DIAMOND STATE INSURANCE  
17 COMPANY, *an Indiana corporation*,

18 Plaintiff,

19 v.

20 MARIN MOUNTAIN BIKES, INC., *a*  
21 *California corporation: et al.*

22 Defendants.

23 No. 4:11-CV-05193-CW

24 STIPULATION AND [PROPOSED]  
25 ORDER TO DISMISS ACTION WITH  
26 PREJUDICE

27 AND RELATED COUNTERCLAIMS.

28

1 Pursuant to Fed. R. Civ. Proc. 41(a)(1)(A)(ii) and (c),  
2 plaintiff/counterdefendant Diamond State Insurance Company ("Diamond State")  
3 and defendant/counterclaimant Marin Mountain Bikes, Inc. ("Marin"), by and  
4 through their attorneys of record, hereby stipulate to the dismissal with prejudice of  
5 the instant action, including Diamond State's complaint and all counterclaims filed  
6 by Marin in this matter. Each party to bear its own costs.

7  
8 IT IS SO STIPULATED,

9  
10 Dated: February 27, 2013

NIELSEN HALEY & ABBOTT, LLP

11  
12 By:



13 Jennifer S. Cohn  
14 Attorneys for Plaintiff/Cross-defendant  
15 Diamond State Insurance Company

16 Dated: February 27, 2013

DONAHUE GALLAGHER WOODS LLP

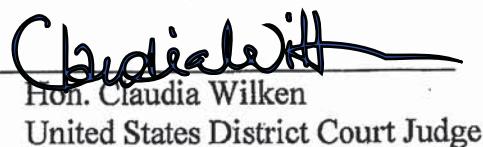
17  
18 By:



19 William Hill  
20 Attorneys for Defendant/Cross-complainant  
21 Marin Mountain Bikes, Inc.

22 PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED. All  
23 pending motions are terminated.

24 Dated: 3/1/2013



25 Hon. Claudia Wilken  
26 United States District Court Judge